WHY A BAN IS THE ONLY OPTION FOR THIRD PARTY PUPPY SALES
WHAT IS COMMERCIAL THIRD PARTY PUPPY SELLING?

- Dogs (puppies) purchased from their breeder with the deliberate intention of reselling them shortly afterwards for a profit.
- ‘Regulated’ by Pet Animals Act 1951 - excludes private rehoming/reselling a single dog and rescue/rehoming charities.
- About 80 pet shop licenses permitting the sale of puppies in the UK.
- More than 60% of licenses are non-retail.
- Proposed legislation changes will require anyone selling pets as a business to hold a pet shop licence.
A ban is vital to protect the welfare of puppies and an essential first step to improving standards in high risk breeding establishments. Removing the legitimacy of a source where even adequate welfare cannot be ensured is imperative to support consumers in making responsible purchases.
THE PROBLEM WITH THIRD PARTY SALES

- Responsible breeders by definition will personally find homes for their puppies.
- Depends on and sustains low welfare, factory farming style dog breeding.
- Breeders receive only a fraction of the eventual sale price - little financial incentive for improvement.
Absence of accountability

Unsuited to rearing pet dogs that are physiologically and mentally fit for purpose

Compounded by: transport, lack of habituation, impulse purchasing.
Higher levels of aggression towards owners and unfamiliar people
More fearful
More prone to separation anxiety and house soiling
Infected with parasites and pathogens to a significant level
ANIMAL WELFARE IN ENGLAND: DOMESTIC PETS

EFRA INQUIRY RECOMMENDATION: “WE RECOMMEND THAT THE GOVERNMENT BAN THIRD PARTY SALES OF DOGS.”

GOVERNMENT RESPONSE

DEFRA “CONSIDERED THE MATTER VERY CAREFULLY”

DOGS TRUST AND BLUE CROSS JOINT BRIEFING, OCTOBER 2016: “WHILST WE SUPPORT THE PRINCIPLES BEHIND A BAN ON THIRD PARTY SALES OF PUPPIES, WE ARE CONCERNED IT IS NOT CURRENTLY A PRACTICAL SOLUTION.”

DEFRA HAS CONFIRMED THAT NO OTHER ORGANISATIONS WERE CONSULTED DURING THE PREPARATION OF THE RESPONSE.
SUPPLY AND DEMAND: THE REASON FOR THE THIRD PARTY PUPPY TRADE?

SUPPLY

Too few ethical breeders?

- The illegal puppy trade is NOT necessarily a symptom of a deficit of responsible UK dog breeders
- Cheap, readily available puppies from Europe may be reducing demand for puppies from responsible UK breeders
- No indication of shortfall in supply prior to 2012
DEFINITION OF A ‘RESPONSIBLE BREEDER’

Primary criteria is that purchasers will be able to see puppies with their mother (Dogs Trust “Getting a puppy” factsheet and website; agreed unanimously by all animal welfare organisations, the Government and Trading Standards).
TACKLING THE LACK OF RESPONSIBLE BREEDERS/RESPONSIBLY BRED PUPPIES

► Increase the number of responsible breeders/responsibly bred puppies OR

► Facilitate alternative suppliers

Cannot encourage irresponsible dog breeding so the only acceptable action is to increase the number of responsible breeders AND/OR encourage existing responsible breeders to produce more puppies.
A ban will:

► **Increase availability of puppies bred under more responsible conditions** - compel all dog breeders to meet baseline criteria for responsible breeder by selling puppies directly to the public. **This is the essential first step in any attempt to reform dog breeding welfare.**

► **Reduce competition from irresponsible breeders** - prevent sale of cheaper puppies bred in Europe under conditions that do not meet UK breeding regulations. **Incentivise responsible breeding practices.**
ISSUES WITH COMMERCIAL IMPORTED PUPPIES

Balai Directive 92/65/EEC

- At risk of increased abuse resulting from potential stricter enforcement of PETS
- Cannot prevent the harm caused by processes of third party trade (transportation, stress, inadequate socialisation, risk of disease etc.)
- Cannot ensure that puppies have been bred by responsible breeders or to UK standards
IMPACT OF A BAN UPON ILLEGAL PUPPY SMUGGLING

► Illegal activity will not be concealed by the presence of a legal trade, making detection easier.

► Tackling puppy smuggling is essential irrespective of the legal status of the trade.

► A ban would be at least as effective a deterrent as alternative options.
DEMAND

Is it necessary to meet demand?

- Impulse purchasing is a long standing problem and often leads to abandonment/relinquishment.
- Catering for ‘demand’ only makes impulse purchasing more likely.
- Planning canine policy to cater for demand is entirely inappropriate.
THE REALITY OF ‘MEETING’ DEMAND

► ‘Meeting demand’ for puppies in reality means exceeding demand
► Irresponsible breeders will breed to capacity to provide a steady supply of puppies.
► Mortality rates are unrecorded - additional puppies bred or purchased to allow for anticipated deaths.
WHAT IS THE DEMAND ACTUALLY FOR?

► Puppy buyers would never deliberately choose a low welfare supplier when searching for their new canine member - *Great British Puppy Survey 2016*

► Deception is a hallmark of the third party puppy trade.

► Puppy buyers can only purchase what is available to them but *don’t* just want a puppy at any cost.

► No demand for irresponsibly bred puppies that carry a high risk of developing health or behavioural issues.
Real ‘demand’ is for a physically and mentally healthy puppy, not just ‘a puppy’.

Puppy buyers are vulnerable to exploitation due to the unavoidable - and necessary - emotional element of choosing a puppy.

Puppy dealers are expert at manipulating potential customers through advertising and at point of sale.
UNINTENDED CONSEQUENCES?

Underground puppy dealing?

Regulation may be preferable over a ban if the activity would continue to exist outside the regime.

► Illegal sellers need mainstream advertising to attract a constant new stream of purchasers – cannot evade detection.

► Purchasers have access to puppies from legitimate breeders and therefore have no need to seek a puppy elsewhere.

► Purchasers will not knowingly seek out a hidden criminal underworld.

► Recent prosecutions against puppy dealers proves illegal activity is identifiable irrespective of volume or circumstances.
THIRD PARTY COMMERCIAL ‘RESCUE CENTRES’?

- Would be illegal under any circumstances.
- Age and type of dogs being ‘rehomed’ would raise suspicions.
- A ‘rescue’ operating as a commercial enterprise is a fraud and tax evasion situation as well as an animal welfare concern and would not escape detection for long.
- Dependence upon advertising ensures it will remain visible.
- Anecdotal reports suggest licensing has apparently not prevented this from happening, so cannot be viewed as a solution.
Are puppies better off being sold by licensed third party sellers than illegal dealers?

Successful outcome: protection afforded through effective enforcement

Licensing will only provide better protection for consumers and for animal welfare if the following statements are accurate:

1. **Licensing conditions** are demanding enough to protect welfare of animals
2. **Effective enforcement of licence conditions** with prompt and meaningful sanctions for non-compliance.
3. **Presents a strong deterrent against unlicensed (illegal) activity**, enabling efficient detection of offenders and strong penalties.
1. Licence conditions

- Licence conditions primarily restricted to animal husbandry and administrative requirements while on the premises.

- NO indication that licence conditions will (or need to) be radically revised and any revisions would still fall short of meaningful improvement.

- Housing conditions observed in illegal establishments often very similar to those seen in fully licensed premises.

- Licensing regime only able to bring very slight benefits for welfare, compared against the illegal trade.
2. The licence regime in practice

► Third party puppy trade does not have a normal business culture.
► Little chance of voluntary self-regulation when non-compliance is more profitable.
► System designed to guide is ineffective.
► Inspections need to be frequent and unannounced but gaining access to non-retail properties without prior consent may be impossible.
Breaches of licence conditions usually result in improvement notices rather than sanctions.

Difficult to enforce subjective conditions or those which rely upon honesty of licensee.

Assessments limited to compliance with licence conditions - cannot investigate beyond scope of conditions.

**Lack of inspector expertise**, subjective interpretation and variable application of licence conditions. (The Government has not committed to provide support and resources for additional training.)
3. Slipping through the net?

- Enforcement of licensing regime itself falls entirely to local authorities.
- Existence of legal trade masks illegal activity.
- A sufficiently ‘robust regime’ may equally encourage illegal activity.

Irrespective of the legality of the activity, there will be an element of non-compliance. **The question of enforcement is therefore critical.**
ENFORCEMENT

Evidence of success

► Third party puppy sales are illegal unless the seller holds a pet shop licence
► Successful prosecutions against illegal puppy traders every month to date in 2017 and at least nine successful prosecutions against illegal dealers in 2016.
► Prosecutions brought by various enforcement agencies, including local authorities, trading standards and the RSPCA.
► Illegal trading is easier to prove and enables a more definitive and conclusive result. Enforcement is clearly possible and indicates ineffectiveness of licensing at preventing illegal activity.
Comparable lack of enforcement against licensed third party sellers

Licensing system shields third party sellers, restricts enforcement options for local authorities and is problematic and burdensome to administer.

Fees paid by licensed establishments do not cover the costs of investigating sellers operating illegally.

In terms of resources for detecting illegal activity, the challenges are the same.
MORE RESEARCH?

- Extensive research has recently been carried out by many organisations, including Dogs Trust and Blue Cross. Scientific and field evidence **conclusively** proves harm caused by third party puppy trade.

- Research cannot uncover a solution that will end third party selling while allowing it to remain legal.

- No evidence to suggest there is a more effective solution than an outright ban.
CONCLUSIONS

► Radical measures ARE needed and urgently if dogs and people are not doomed to further suffering and heartbreak.

► Regulating third party puppy sales through licensing has been tried as a solution for many years and failed to either protect dogs within the regime from harm or to prevent illegal activity.

► Objecting to a ban on grounds it will be unsuccessful implies that even basic animal welfare goals are unachievable and suggests a lack of faith in society’s ability to protect the vulnerable and prevent criminal activity.
THE CONSEQUENCES...IF NOTHING CHANGES

“It ripped our family to pieces”

“The experience we have been through is, I feel as bad as losing a human being. “

“our son insisted that he wanted to say goodbye to his dog”

Rascal, died aged 7 months
MORE DOGS AND MORE FAMILIES WILL PAY THE PRICE

“We bought our puppy on Friday and on Monday he was hospitalised, where he still remains suffering from sickness and diarrhoea.”

“we said our goodbyes and watched our puppy die. “

From this… to this…

Dead within a week of purchase